

**Minutes of the  
Arkansas Water Well Construction Commission Meeting  
October 7, 2011**

The regular meeting of the Arkansas Water Well Construction Commission was held on October 7, 2011 at 9:00 AM, in the Arkansas River Room of ANRC, 101 East Capitol, Suite 350, Little Rock, AR.

Commissioners in attendance: Chairman Pender, Vice Chairman Gilbert, Commissioners McDermott, Washington, Walden, and Deputy Director, Jon Sweeney, who filled in for Randy Young, Executive Director.

Arkansas Natural Resources Commission staff in attendance included: Edward Swaim, Chief of Water Resources Management Division; Crystal Phelps, General Counsel; Deanna Dorrough, Associate General Counsel; Jessica Wallace, Agency Fiscal Administrator; Todd Fugitt, ANRC Geology Supervisor; Perry Dotson, Water Well Inspector; Raymond Englerth, Water Well Inspector; Jacob Harvey, Engineer Technician; and Jackie Broach, Ground-Water Administrative Specialist III.

Chairman Pender called the regular meeting of the Arkansas Water Well Commission to order.

**Recognition of Guests:** Chairman Pender welcomed everyone to the AWWCC Commission Meeting.

**Approval of Minutes:**

Chairman Pender presented the August 12, 2011 Minutes. Motion was made by Commissioner Washington to approve and Commissioner McDermott seconded. Motion carried.

**Executive Secretary's Report:**

Deputy Director Sweeney expressed regrets on behalf of Commissioner Young for his absence, but explained he was unable to attend due to a conflicting meeting.

**Financial Report:**

Jessica Wallace, ANRC Agency Fiscal Administrator, reported the total revenue as of September 30, 2011, is \$170,050.27; expenses were \$26,866.33; and the total balance in fund of \$311,628.05. She stated that the bulk of revenues are generated in the 1<sup>st</sup> quarter of the fiscal year and that these revenues will sustain the budget.

Financial Report was approved.

**Legal:**

No legal issues to report at this meeting.

**Consideration of Applicants:**

Todd Fugitt presented the following applicants for Commission approval:

**STATUS OF THOSE ALREADY APPROVED**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>	<b><u>EXAM</u></b>
Brian Campbell	Campbell Well Drilling	McKenzie, TN	Passed (D&PI)
Richard C. Moore	Environmental Loop Service	Tulsa, OK	Passed (D)
Ronald Willis	Environmental Loop Service	Tulsa, OK	Passed (D)
Doyan Booth	Booth Drilling	Hollister, MO	Passed (D)
Bruce Trimble	Sunbelt Environmental	Springfield, MO	Passed (D)

**NEW DRILLER APPRENTICE APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
Daryl J. Plumlee	Shudy Drilling, Inc.	Green Forest, AR

**NEW PUMP INSTALLER APPRENTICE APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
Jonathan S. Casey	Northwest Pump and Supply	Bentonville, AR
Daryl J. Plumlee	Shudy Drilling, Inc.	Green Forest, AR

**NEW DRILLER APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
James D. Cook	Layne Christensen Company	Stuttgart, AR
Raul Z. Zavala	Environmental Loop Service, Inc.	Tulsa, OK

**NEW PUMP INSTALLER APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
James D. Cook	Layne Christensen Company	Stuttgart, AR

Commissioner McDermott made a motion to accept the applicants presented, seconded by Commissioner Gilbert. Motion carried.

Mr. Fugitt also reported on results based on the Enforcement Committee guidelines:

- 1.) One reported possible unlicensed driller/pump installer
- 2.) No illegal activity reported by any EHS at this time; cooperation remains strong.
- 3.) Inspectors have observed drilling of wells by licensed contractors in all geophysical provinces of the state. No formal inspector training exists, but staff will continue to search for opportunities.
- 4.) Lack of prior knowledge of drilling operations or permitting of wells prohibits inspectors from opportunity to observe well drilling operations unannounced. Inspections can only be made on a complaint basis or from construction reporting information.

**INSPECTOR'S REPORT – OCTOBER 7, 2011:**

- Entering Well Reports
  - Answering Phone Questions
  - Investigation of Illegal Drilling and Pump Installers (3)-Madison Co., Izard Co., Pope Co
  - Inspections (3) Pope Co., Garland Co., Arkansas Co.
  - Contractor Visits (2) Izard Co., Columbia Co.
  - Water Level Measurements
  - County Health Office Visits (1) Stone
  - Observe Well Installations (4)
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- 2011-2012 Non- Renewals Contacted
  - 4 – Could not contact
  - 4 – Renewing License
  - 1 – Not Renewing License
  - 1– Contacted but undecided

**Other Business:**

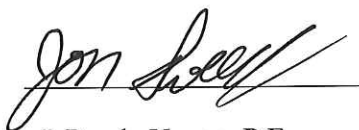
Commissioner Pender reported that Act 950 became effective in July 2011, requiring anyone doing anything outside the purview of their license that exceeds \$2,000.00, such as digging a trench or installing a plumbing line, will need to obtain a State Contractor's License. There was discussion over what could and could not be done under the Water Well Contractor's License and Commissioner Pender asked Mr. Fugitt if he would research how this law will affect the Water Well Contractors.

Commissioner Pender also reported that the scheduled December Commission Meeting is in conflict with the National Groundwater Association meeting and asked if the Commission Meeting could be moved. After affirmation that all the Commissioners present were also scheduled to attend the National Groundwater Association meeting, Commissioner McDermott made the motion to reschedule the December Commission Meeting date to December 9, 2011 at 9:00 AM. Commissioner Washington seconded. Motion carried.

Commissioner Pender also appointed members to the Nominating Committee. They are: Commissioner Gilbert, Chairman; Commissioner Washington, and Deputy Director Jon Sweeney of ANRC. They will meet December 9, 2011 at 8:30 AM to select officers for the 2012 year.

Commissioner McDermott reported that the Enforcement Committee met at 8:30 AM and that all in attendance agreed that the reporting procedure adopted by the committee is already producing results and that the committee is confident that this reporting procedure will work.

Meeting adjourned.



J. Randy Young, P.E.  
Executive Secretary

Jon Sweeney, PE  
Deputy Director/Chief Engineer  
Acting for: J. Randy Young, PE

12-13-11

Date